

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE) Chapter 7
)
ROBERT E CAUBLE,) CASE NO. 20-03697-JMC-7
TERESA CAUBLE)
)
Debtors)

**MOTION FOR RELIEF FROM STAY AND TO ABANDON REAL ESTATE
WITH 30-DAY WAIVER**

Comes now loanDepot.com, LLC, (hereinafter referred to as "LoanDepot.com"), by counsel, and for its Motion for Relief From Stay and to Abandon Real Estate would show the Court as follows:

1. On June 25, 2020, the above-named Debtors filed a petition pursuant to Chapter 7 of the Bankruptcy Code.
2. LoanDepot.com is the holder of a secured claim with an outstanding principal balance of \$98,276.78 and accrued interest of \$1,763.51 as of November 17, 2020. Said claim is secured by the real property located at 2512 Kent Ave, Kokomo, IN 46902-3368, and more particularly described in the mortgage, a copy of which is attached hereto and incorporated herein as Exhibit "A". The legal description for the subject real estate is:

Lot Numbered 355 in Maple Crest Extension to Maple Crest Addition, City of Kokomo, Center Township, Howard County, Indiana, as recorded in records Plat Book 4, Page 259.

3. The above-described mortgage was given to secure a promissory note dated July 3, 2019, made payable to LoanDepot.com in the original principal sum of \$99,684.00. A copy of the above-described note is attached hereto and incorporated herein as Exhibit "B".

4. LoanDepot.com is the current holder of the promissory note and mortgage and is evidenced by the chain of assignments attached hereto and incorporated as Exhibit "C".

5. The debt has not been reaffirmed with LoanDepot.com and there is little or no equity in the subject real estate for the benefit of creditors.

6. The mortgage loan is due for August 1, 2020 through November 1, 2020 payments at the monthly mortgage amount of \$722.78 plus late charges of \$86.73 for an arrearage in the sum of \$2,977.85, together with attorney fees and costs.

7. The failure to make payments and the lack of equity in the subject real estate is cause for the Court to grant relief from the Stay to LoanDepot.com within the meaning of §362 of the Bankruptcy Code.

8. LoanDepot.com prays that the court order the abandonment of the subject real estate.

WHEREFORE, LoanDepot.com prays that the Court terminate the automatic stay of §362 of the Bankruptcy Code, authorize loanDepot.com to foreclose its mortgage on the above-described property, order the abandonment of the subject real estate and for all other relief as is just.

FEIWELL & HANNOY, P.C.

/s/ BARRY T BARNES
BARRY T. BARNES, Attorney No. 19657-49
Attorney for loanDepot.com, LLC
8415 Allison Pointe Blvd., Suite 400
Indianapolis, IN 46250
(317) 237-2727
Fax: (317) 237-2717
Email: BBARNES@feiwellhannoy.com

CERTIFICATE OF SERVICE

The undersigned does hereby certify that the foregoing has been duly electronically noticed or mailed via United States mail, first class, on November 17, 2020, to the following:

Robert E Cauble and Teresa Cauble
Debtor
2512 Kent Ave
Kokomo, IN 46902-3368

Joshua L. Twombley
Attorney at Law
515 W. Sycamore Street
Kokomo, IN 46901

Gregory S. Fehribach
Trustee
50 South Meridian Street, Suite 700
Indianapolis, IN 46204

Nancy Gargula
U.S. Trustee
101 West Ohio Street, Suite 1000
Indianapolis, IN 46204

/s/ BARRY T BARNES
BARRY T. BARNES, Attorney No. 19657-49

NOTICE

FEIWELL & HANNOY, P.C. IS A DEBT COLLECTOR.

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TERESA CAUBLE)
)
Debtor(s))

CERTIFICATE OF MAILING

The undersigned hereby certifies that a copy of the attached Notice was sent, via either first class. U.S. mail or electronic noticing, on November 17, 2020, to those creditors and interested parties listed on the attached sheets.

Dated: November 17, 2020

FEIWELL & HANNOY, P.C.
/s/ BARRY T BARNES
BARRY T. BARNES, Attorney No. 19657-49
Attorney for loanDepot.com, LLC
8415 Allison Pointe Blvd., Suite 400
Indianapolis, IN 46250
(317) 237-2727
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Email: BBARNES@feiwellhannoy.com

UNITED STATES BANKRUPTCY COURT
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TERESA CAUBLE)
)
Debtor(s))

NOTICE OF MOTION AND OPPORTUNITY TO OBJECT

On November 17, 2020, loanDepot.com, LLC filed a Motion for Relief from Stay and to Abandon Real Estate, asking the Court for relief from stay and abandonment of the real estate commonly known as 2512 Kent Ave, Kokomo, IN 46902-3368. The motion states that Debtor(s) monthly mortgage payments are delinquent and that there is little or no equity in the subject real estate for the benefit of creditors. If you have not received a copy of the motion, you may get one by contacting the person who signed this notice or at the clerk's office.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the motion, then within fourteen (14) days from the date this Notice is served, you or your attorney must:

1. File a written objection to the motion, which should explain the reasons why you object, with the Clerk of the United States Bankruptcy Court at:

Rm 116; 46 E Ohio St
Indianapolis, IN 46204-1903

If you mail your objection, you must mail it early enough so that it will be received by the date it is due.

2. You must also mail a copy of your objection to:

BARRY T. BARNES
FEIWELL & HANNOY, P.C.
8415 Allison Pointe Blvd., Suite 400
Indianapolis, IN 46250
(317) 237-2727

Robert E Cauble and Teresa Cauble
Debtor
2512 Kent Ave
Kokomo, IN 46902-3368

Joshua L. Twombley
Attorney at Law
515 W. Sycamore Street
Kokomo, IN 46901

Gregory S. Fehribach
Trustee
50 South Meridian Street Suite 700
Indianapolis, IN 46204

Nancy Gargula
U.S. Trustee
101 West Ohio Street, Suite 1000
Indianapolis, IN 46204

If you do not file an objection by the date it is due, the court may grant the relief requested without holding a hearing. If you do file an objection, the court will set the motion for hearing, which you or your attorney will be expected to attend.

Dated: November 17, 2020

FEIWELL & HANNOY, P.C.
/s/ BARRY T BARNES
BARRY T. BARNES, Attorney No. 19657-49
Attorney for loanDepot.com, LLC
8415 Allison Pointe Blvd., Suite 400
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(317) 237-2727
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Label Matrix for local noticing

0756-1

Case 20-03697-JMC-7A

Southern District of Indiana

Indianapolis

Tue Nov 17 12:40:22 EST 2020

Barry Thomas Barnes

Feiwell & Hannoy

8415 Allison Pointe Blvd

Suite 400

Indianapolis, IN 46250-4160

Atlas Collections, Inc.

7701 W. Kilgore Avenue

Suite 3

Yorktown, IN 47396-9275

Attorney General of the United States

U.S. Department of Justice

950 Pennsylvania Ave NW

Washington, DC 20530-0001

CBCS

PO BOX 1085

Columbus, OH 43216-1085

CENLAR

PO Box 11733

Newark, NJ 07101-4733

COMENITY BANK/VCTRSSEC

PO BOX 182789

Columbus, OH 43218-2789

Cabelas WFB

PO Box 82608

Lincoln, NE 68501-2608

Capital One

P.O. Box 30281

Salt Lake City, UT 84130-0281

Capital One

P.O. Box 30285

Salt Lake City, UT 84130-0285

Capital One Bank (USA), N.A..

P.O. Box 6492

Carol Stream, IL 60197-6492

Capital One Bank USA NA

10700 Capital One Way

Richmond, VA 23060-9243

Capone/Cabelas

4800 NW 1ST ST STE 300

Lincoln, NE 68521-4463

Robert E Cauble

2512 Kent Avenue

Kokomo, IN 46902-3368

Teresa Cauble

2512 Kent Avenue

Kokomo, IN 46902-3368

Cavalry Portfolio Service

500 SUMMIT LAKE DR STE 4A

Valhalla, NY 10595-2323

Chrysler Capital

P.O. Box 961212

Fort Worth, TX 76161-0212

Chrysler Capital

P.O. Box 961275

Fort Worth, TX 76161-0275

Comenity - Catherines

PO Box 659728

San Antonio, TX 78265-9728

Comenity - Torrid

PO Box 659584

San Antonio, TX 78265-9584

Comenity Bank/Carsons

P.O. Box 182789

Columbus, OH 43218-2789

Comenity Bank/Dressbrn

PO BOX 182789

Columbus, OH 43218-2789

Comenity Bank/TORRID

PO Box 182789

Columbus, OH 43218-2789

ComenityBank/Catherines

PO Box 182789

Columbus, OH 43218-2789

ComenityBank/LNERYANT

PO Box 182789

Columbus, OH 43218-2789

ComenityBank/VictoriasSecret

PO Box 182789

Columbus, OH 43218-2789

Credit One Bank

P.O. Box 98872

Las Vegas, NV 89193-8872

Credit One Bank

P.O. Box 98873

Las Vegas, NV 89193-8873

(p)DISCOVER FINANCIAL SERVICES LLC

PO BOX 3025

NEW ALBANY OH 43054-3025

FIRSTSOURCE ADVANTAGE, LLC

PO Box 628

Buffalo, NY 14240-0628

Gregory S. Fehribach
 Office of Gregory S. Fehribach
 50 S Meridian St Ste 700
 Indianapolis, IN 46204-3542

Financial Builders Federal Credit Union
 2828 S. LaFountain
 Kokomo, IN 46902-3706

Indiana Department of Revenue
 100 North Senate N-203
 Indianapolis, IN 46204-2217

Internal Revenue Service
 P.O. Box 7346
 Philadelphia, PA 19101-7346

LVNV Funding, LLC
 P.O. Box 1269
 Greenville, SC 29602-1269

LVNV Funding, LLC
 Resurgent Capital Services
 PO Box 10587
 Greenville, SC 29603-0587

LoanDepot
 P.O. Box 77404
 Ewing, NJ 08628-6404

LoanDepot.com
 26642 Towne Center
 Foothill Ranch, CA 92610-2808

LoanDepot.com, LLC
 Attn: BK Department
 425 Phillips Boulevard
 Ewing, NJ 08618-1430

(p)DSNB MACY S
 CITIBANK
 1000 TECHNOLOGY DRIVE MS 777
 O FALLON MO 63368-2222

Med-1 Solutions
 517 US Highway 31 N
 Greenwood, IN 46142-3932

New World Collections
 9000 Keystone Crossing
 Suite 635
 Indianapolis, IN 46240-7659

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
 PO BOX 41067
 NORFOLK VA 23541-1067

Premiere Credit of North America, LLC
 PO Box 19309
 Indianapolis, IN 46219-0309

Protect America
 PO Box 844617
 Dallas, TX 75284-4617

SYNCB/JC PENNEYS
 PO Box 965036
 Orlando, FL 32896-5036

SYNCB/LOWES
 PO Box 965036
 Orlando, FL 32896-5036

SYNCB/OLD NAVY DC
 PO Box 965036
 Orlando, FL 32896-5036

SYNCB/SAMS CLUB
 PO Box 965036
 Orlando, FL 32896-5036

SYNCB/SAMS CLUB DC
 PO BOX 965005
 Orlando, FL 32896-5005

SYNCB/WALMART
 PO Box 965024
 Orlando, FL 32896-5024

Sam's Club MC/SYNCB
 PO Box 960013
 Orlando, FL 32896-0013

Santander Consumer USA Inc. d/b/a/ Chrysler
 P.O. BOX 961275
 FORT WORTH, TX 76161-0275

Sears/CBNA
 P.O. Box 6282
 Sioux Falls, SD 57117-6282

Synchrony Bank-JCP
 P.O. Box 965007
 Orlando, FL 32896-5007

Synchrony Bank-Lowes
 P.O. Box 965005
 Orlando, FL 32896-5005

Joshua L Twombly
 Law Office of Joshua Twombly, LLC
 515 W. Sycamore Street
 Kokomo, IN 46901-4547

U.S. Attorney's Office
 10 W Market St Ste 2100
 Indianapolis, IN 46204-1986

U.S. Trustee
 Office of U.S. Trustee
 101 W. Ohio St.. Ste. 1000
 Indianapolis, IN 46204-1982

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Discover Financial Services, LLC
P.O. Box 15316
Wilmington, DE 19850

MACYS/DSNB
PO Box 8218
Mason, OH 45040-2909

Portfolio Recovery
120 Corporate Blvd
Suite 100
Norfolk, VA 23502

End of Label Matrix

Mailable recipients	58
Bypassed recipients	0
Total	58